



Town Council Agenda Report

SUBJECT: Resolution

CONTACT PERSON/NUMBER: Daniel J. Stallone, Code Compliance Official: 797-1121

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 98-531 FROM \$27,750 IN AMOUNT TO \$3,345.44; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The property owners were cited for non permitted uses (truck, trailers, etc.), prohibited parking/storage of commercial vehicles and maintaining a reported nuisance. The property owner assisted the Code Compliance Division in obtaining compliance, which has been achieved by the removal of the trucks, trailers and commercial carnival equipment. Mitigation is now acceptable.

PREVIOUS ACTIONS: Not Applicable

CONCURRENCES: The respondents agreed with the staff mitigation guidelines.

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s): Resolution, Mitigation Request Summary

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 98-531 FROM \$27,750 IN AMOUNT TO \$3,345.44; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Troy L. Weekley, requested a mitigation of a Code Compliance lien from \$27,750 to \$3,345.44; and

WHEREAS, the Town of Davie Code Compliance Division has determined that the violation of Code Sections 12-32, 12-33(f), and 12-33(t) were corrected; and

WHEREAS, the Town of Davie Code Compliance Division staff suggested that based upon recommended mitigation guidelines, the mitigation of the original lien be from \$27,750 to \$3,345.44; and

WHEREAS, Troy L. Weekley, and the Town of Davie Code Compliance Division are agreeable to such mitigation.

WHEREAS, the Town Council is agreeable to such mitigation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the certain Code Compliance lien arising out of Case 98-521 in the amount of \$27,750, against Troy L. Weekley, is hereby mitigated in amount to \$3,345.44.

SECTION 2. That this mitigated amount of \$3,345.44 be paid to the Town within 45 days of the enactment of this Resolution. Should this amount of \$3,345.44 not be paid within the specified time the lien shall revert to the original amount of \$27,750.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2000.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

MITIGATION REQUEST SUMMARY

DATE: March 2, 2000

NAME: Troy L. Weekley and Linda G. Weekley

ADDRESS: 1201 SW 130 Avenue, Davie, FL

CASE: 98-531

SUMMARY:

| | |
|---------------------------|-------------------|
| Date respondents cited: | July 30, 1998 |
| Date of Final Order: | September 9, 1998 |
| Non-Compliance Hearing(s) | December 15, 1998 |
| Fine/Lien(s) Imposed: | \$ 27,750 |

| | |
|--|------------------|
| Original fine: | \$ 27,750 |
| 7.5% of amount | \$ 2,081.25 |
| 2 % (37 days of non-compliance @ 2% per 60 day period) | \$ 555.00 |
| Base costs to Town | <u>\$ 709.19</u> |
| Total | \$ 3,345.44 |

| | |
|---|---|
| Department Guideline recommended mitigation amount: | \$ 3,345.44 |
| Amount the respondent desires to pay: | \$ 3,345.44 |
| Date respondent requested mitigation: | November 3, 1999 |
| Date of Mitigation Hearing by Special Master: | N/A Direct to Council in agreement with Guidelines. |

The property owners were cited for violations of:

1. Town Code Section 12-32: Non permitted uses (Trucks, Trailers, etc.);
2. Town Code Section 12-33(f): Prohibited parking/storage of commercial vehicles;
3. Town Code Section 12-33(t): Maintaining a reported nuisance.

The violations cited were committed by a tenant on the property. The property owner assisted the Code Compliance Division in obtaining Compliance, which has been achieved by the removal of the truck, trailers and commercial carnival equipment.

The mitigated amount will cover the Town expenses and the recommended mitigated amount of \$3,345.44 should be considered and approved by the Town Council and the respondent(s) given 45 days to pay the mitigated amount.

DANIEL J. STALLONE
CODE COMPLIANCE OFFICIAL